

# Daily Digest

## HIGHLIGHTS

- Senate passed H.R. 2555, Homeland Security Appropriations.
- House Committee ordered reported the Transportation, Treasury, and Independent Agencies appropriations for fiscal year 2004.
- House passed H.R. 2738, to implement the United States-Chile Free Trade Agreement.
- House passed H.R. 2739, to implement the United States-Singapore Free Trade Agreement.
- House passed H.R. 2210, reauthorizing the Head Start Act to improve the school readiness of disadvantaged children.
- House passed H.R. 2427, authorizing the Secretary of Health and Human Services to promulgate regulations for the reimportation of prescription drugs.

## Senate

### Chamber Action

*Routine Proceedings, pages S9827–S9924*

**Measures Introduced:** Five bills and three resolutions were introduced, as follows: S. 1450–1454, and S. Con. Res. 58–60. **Pages S9904–05**

#### Measures Reported:

S. 1260, to promote the development of the commercial space transportation industry, to authorize appropriations for the Office of the Associate Administrator for Commercial Space Transportation. (S. Rept. No. 108–111)

S. Res. 124, designating September 28, 2003, as “National Good Neighbor Day”.

S. Res. 167, recognizing the 100th anniversary of the founding of the Harley-Davidson Motor Company, which has been a significant part of the social, economic, and cultural heritage of the United States and many other nations and a leading force for product and manufacturing innovation throughout the 20th century.

S. 1301, to amend title 18, United States Code, to prohibit video voyeurism in the special maritime and territorial jurisdiction of the United States, with an amendment in the nature of a substitute.

S. Con. Res. 40, designating August 7, 2003, as “National Purple Heart Recognition Day”.

**Page S9904**

#### Measures Passed:

**Homeland Security Appropriations:** By 93 yeas to 1 nay (Vote No. 306), Senate passed H.R. 2555, making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2004, after taking action on the following amendments proposed thereto: **Pages S9830–87**

#### Adopted:

Dorgan Amendment No. 1362, to require a report on access by State and local law enforcement agencies to the Tipoff database on potential terrorists.

**Pages S9831–32**

Byrd (for Durbin) Amendment No. 1374, to provide for a report to Congress on information systems interoperability. **Page S9866**

Byrd (for Feingold) Amendment No. 1375, to require a report on the activities of the Department of Homeland Security with respect to the development of best practices for emergency responders.

**Page S9866**

Levin Amendment No. 1376, to clarify the prohibition on contracting with corporate expatriates.

**Pages S9868–69**

Hutchison Amendment No. 1364, to provide for advanced funding to authorized entities performing duties under the Robert T. Stafford Disaster Relief and Emergency Assistance Act who respond to disasters declared by the President. **Page S9870**

Cochran (for Landrieu) Amendment No. 1378, to express the sense of the Senate that the Department of Homeland Security's Under Secretary for Science and Technology should take all appropriate steps to ensure the active participation of historically black colleges and universities, tribal colleges, Hispanic-serving institutions, and Alaskan Native serving institutions in Department sponsored university research.

**Page S9870**

Cochran (for Bayh) Amendment No. 1379, to require a plan for the enhancement of the operations of the Information Analysis and Infrastructure Protection Directorate.

**Pages S9870–71**

Byrd (for Feingold) Amendment No. 1380, to require the Comptroller General to conduct a review and to report to Congress on all of the data-mining programs relating to law enforcement and terrorism currently under development and in use in the Department of Homeland Security.

**Page S9871**

Byrd (for Akaka) Amendment No. 1381, to allow the Secretary of Homeland Security flexibility in determining priorities for firefighting vehicles in the Firefighter Assistance Grants program.

**Pages S9871–72**

Byrd (for Landrieu) Amendment No. 1382, to require the Secretary of Homeland Security to submit a report on the air traffic control communications void over the Gulf of Mexico.

**Page S9872**

Rejected:

Byrd Amendment No. 1367, to fulfill homeland security promises. (By 51 yeas to 45 nays (Vote No. 300), Senate tabled the amendment.)

**Pages S9848–51**

By 48 yeas to 48 nays (Vote No. 302), Specter (for Schumer/Specter) Amendment No. 1370, to increase the funding for discretionary grants for use in high-threat urban areas and decrease funding for information analysis and infrastructure protection, science and technology, and research and development.

**Pages S9856–61**

By 46 yeas to 50 nays (Vote No. 303), Byrd Amendment No. 1373, to prohibit funds appropriated under this Act from being used by any advisory committee that has been exempted from the Federal Advisory Committee Act.

**Pages S9864–66, S9866–67**

By 46 yeas to 46 nays (Vote No. 305), Byrd Amendment No. 1383, to provide post-employment lobbying restrictions on employees of the Department of Homeland Security and the Office of Homeland Security within the Executive Office of the President.

**Pages S9872–74**

Withdrawn:

Reid Amendment No. 1318, to appropriate \$20,000,000 to the Office for Domestic Preparedness to be used for grants to urban areas with large tourist populations.

**Pages S9830–31, S9850**

During consideration of this measure today, Senate also took the following actions:

By 41 yeas to 54 nays (Vote No. 299), three-fifths of those Senators duly chosen and sworn, not having voted in the affirmative, Senate rejected the motion to waive the Congressional Budget Act of 1974, with respect to Dodd Amendment No. 1353, to fund urgent priorities for our Nation's firefighters, law enforcement personnel, and emergency medical personnel, and all Americans by reducing the 2003 tax breaks for individuals with annual income in excess of \$1,000,000. Subsequently, the point of order that the amendment was in violation of section 302(f) of the Congressional Budget Act of 1974, since the amendment would provide spending in excess of the 302(b) allocation, was sustained, and the amendment thus falls.

**Pages S9832–47**

The Chair sustained a point of order against Feinstein/Kyl Amendment No. 1365, to prevent and respond to terrorism and crime at or through ports, as being in violation of Rule XVI of the Standing Rules of the Senate which prohibits general legislation on appropriations matters, and the amendment was ruled out of order.

**Pages S9847–48**

By 50 yeas to 46 nays (Vote No. 301), three-fifths of those Senators duly chosen and sworn, not having voted in the affirmative, Senate rejected the motion to waive the Congressional Budget Act of 1974, with respect to Specter Amendment No. 1368, to increase the funding for discretionary grants for use in high-threat urban areas. Subsequently, the point of order that the amendment was in violation of section 302(f) of the Congressional Budget Act of 1974, since the amendment would provide spending in excess of the 302(b) allocation, was sustained, and the amendment thus falls.

**Pages S9851–56**

By 44 yeas to 50 nays (Vote No. 304), three-fifths of those Senators duly chosen and sworn, not having voted in the affirmative, Senate rejected the motion to waive the Congressional Budget Act of 1974, with respect to Reed/Sarbanes Amendment No. 1372, to appropriate \$100,000,000 for grants to public transit agencies to enhance public transportation security against terrorist threats. Subsequently, the point of order that the amendment was in violation of section 302(f) of the Congressional Budget Act of 1974, since the amendment would provide spending in excess of the 302(b) allocation, was sustained, and the amendment thus falls.

**Pages S9861–64, S9867**

Senate insisted on its amendment, requested a conference with the House thereon, and the Chair was authorized to appoint the following conferees on the part of the Senate: Senators Cochran, Stevens, Specter, Domenici, McConnell, Shelby, Gregg,

Campbell, Craig, Byrd, Inouye, Hollings, Leahy, Harkin, Mikulski, Kohl, and Murray. **Pages S9886–87**

**Energy Policy Act:** Senate resumed consideration of S. 14, to enhance the energy security of the United States, taking action on the following amendments proposed thereto: **Pages S9888–95**

Pending:

Campbell Amendment No. 886, to replace “tribal consortia” with “tribal energy resource development organizations”. **Page S9888**

Durbin Modified Amendment No. 1384, to amend title 49, United States Code, to improve the system for enhancing automobile fuel efficiency. **Page S9889**

Durbin Modified Amendment No. 1385, to amend the Internal Revenue Code of 1986 to provide additional tax incentives for enhancing motor vehicle fuel efficiency. **Pages S9889, S9893–95**

Bond Amendment No. 1386, to impose additional requirements for improving automobile fuel economy and reducing vehicle emissions. **Pages S8990–95**

A unanimous-consent agreement was reached providing for further consideration of the bill at 9:30 a.m., on Friday, July 25, 2003. **Page S9924**

**Nomination—Agreement:** A unanimous-consent agreement was reached providing that at 4:50 p.m., on Monday, July 28, 2003, Senate proceed to the nomination of Earl Leroy Yeakel III, to be United States District Judge for the Western District of Texas; that there be 5 minutes of debate equally divided between Senators Hutchison and Cornyn; that there be 5 minutes under the control of Senator Leahy; and that the Senate vote on the confirmation of the nomination at 5 p.m. **Page S9888**

#### **Appointments:**

**United States Senate Caucus on International Narcotics Control:** The Chair, on behalf of the Majority Leader, pursuant to the provisions of Public Law 99–93, as amended by Public Law 99–151, appointed Senator Coleman of Minnesota as a member of the United States Senate Caucus on International Narcotics Control. **Page S9924**

**Messages From the President:** Senate received the following message from the President of the United States:

Transmitting, pursuant to law, a report relative to the national emergency with respect to terrorists who threaten to disrupt the Middle East Peace process; to the Committee on Banking, Housing, and Urban Affairs. (PM–47) **Pages S9901–02**

**Messages From the House:** **Page S9902**

**Measures Placed on Calendar:** **Page S9902**

**Executive Communications:** **Page S9902**

**Petitions and Memorials:** **Pages S9902–04**

**Executive Reports of Committees:** **Page S9904**

**Additional Cosponsors:** **Pages S9905–06**

**Statements on Introduced Bills/Resolutions:** **Pages S9906–12**

**Additional Statements:** **Page S9901**

**Amendments Submitted:** **Pages S9912–23**

**Authority for Committees to Meet:** **Pages S9923–24**

**Record Votes:** Eight record votes were taken today. (Total—306)

**Pages S9846–47, S9851, S9856, S9861, S9866–67, S9867, S9874, S9886**

**Recess:** Senate met at 9:30 a.m., and recessed at 9:52 p.m., until 9:30 a.m., on Friday, July 25, 2003. (For Senate’s program, see the remarks of the Acting Majority Leader in today’s Record on page S9924.)

## **Committee Meetings**

(Committees not listed did not meet)

### **BUSINESS MEETING**

**Committee on Agriculture, Nutrition, and Forestry:** Committee ordered favorably reported H.R. 1904, to improve the capacity of the Secretary of Agriculture and the Secretary of the Interior to plan and conduct hazardous fuels reduction projects on National Forest System lands and Bureau of Land Management lands aimed at protecting communities, watersheds, and certain other at-risk lands from catastrophic wildfire, to enhance efforts to protect watersheds and address threats to forest and rangeland health, including catastrophic wildfire, across the landscape, with an amendment in the nature of a substitute.

### **NOMINATIONS**

**Committee on Armed Services:** Committee concluded hearings to examine the nominations of General Richard B. Meyers, USAF, for reappointment as Chairman of the Joint Chiefs of Staff and reappointment to the grade of general, and General Peter Pace, USMC, for reappointment as Vice Chairman of the Joint Chiefs of Staff and reappointment to the grade of general, after the nominees testified and answered questions in their own behalf.

### **NATIONAL PARK SERVICE: COMPETITIVE SOURCING**

**Committee on Energy and Natural Resources:** Subcommittee on National Parks concluded oversight hearings on competitive sourcing effort within the National Park Service, focusing on the process for determining inherently governmental positions, the

number of positions being evaluated, the time schedule and cost for evaluation, the process for keeping personnel informed during the evaluation, the progress made to date, and the effect on National Park Service management responsibilities, after receiving testimony from Fran P. Mainella, Director, National Park Service, Department of the Interior; Angela B. Styles, Administrator for Federal Procurement Policy, Office of Management and Budget; Sam Kleinman, Center for Naval Analysis Corporation, Alexandria, Virginia; Geoffrey F. Segal, Reason Foundation, Arlington, Virginia; J.W. Wade, Tuscon, Arizona, on behalf of the Campaign to Protect America's Lands, and a coalition of concerned NPS retirees; and Scot McElveen, Harpers Ferry National Historical Park, Harpers Ferry, West Virginia, on behalf of the Association of National Park Rangers, and the Association of National Park Maintenance Employees.

#### NOMINATION

*Committee on Foreign Relations:* Committee concluded hearings to examine the nomination of Donald K. Steinberg, of California, to be Ambassador to the Federal Republic of Nigeria, after the nominee testified and answered questions in his own behalf.

#### CONGO BASIN FOREST

*Committee on Foreign Relations:* Subcommittee on African Affairs concluded hearings on the Congo Basin Forest Partnership (a partnership of countries, non-governmental organizations, and private businesses dedicated to the conservation and sustainable use and management of the forest), focusing on the logging policy, enhancing protected areas, encouraging better environmental governance, strengthening local resources management, fundamental benefits of the Partnership, and the Yaounde Summit, after receiving testimony from Walter H. Kansteiner III, Assistant Secretary for African Affairs, and John F. Turner, Assistant Secretary for Oceans, International Environmental and Scientific Affairs, both of the Department of State; Keith Brown, Senior Deputy Assistant Administrator, Bureau for Africa, U.S. Agency for International Development; J. Michael Fay, Wilderness Conservation Society, Bronx, New York; and Tony Mokombo, World Wildlife Fund, Washington, D.C.

#### COMPETITIVE SOURCING INITIATIVE

*Committee on Governmental Affairs:* Subcommittee on Oversight of Government Management, the Federal Workforce and the District of Columbia concluded hearings to examine the Administration's competitive sourcing initiative, focusing on the Office of Management and Budget's revisions of the A-76 circular outlining the guidance on public/private competitions, after receiving testimony from Angela Styles, Administrator, Office of Federal Procurement Policy, Office of Management and Budget; David M.

Walker, Comptroller General of the United States, General Accounting Office; Jacques S. Gansler, University of Maryland, College Park; Paul C. Light, New York University, New York, New York; Charles Tiefer, University of Baltimore School of Law, Chevy Chase, Maryland; and Frank Camm, RAND Corporation, Santa Monica, California.

#### FEDERAL BIODEFENSE READINESS

*Committee on Health, Education, Labor, and Pensions:* Committee concluded hearings to examine federal biodefense readiness, focusing on the public health workforce, the status of Centers for Disease Control terrorism preparedness and emergency response activities, the Emergency Communication System, smallpox preparedness, the Food and Drug Administration's role in counterterrorism activities, vulnerability and threat assessments, laboratory enhancements, research, Operation Liberty Shield, and developing the research infrastructure, after receiving testimony from Julie L. Gerberding, Director, Centers for Disease Control and Prevention, Mark B. McClellan, Commissioner of Food and Drugs, and Elias A. Zerhouni, Director, National Institutes of Health, all of the Department of Health and Human Services.

#### BUSINESS MEETING

*Committee on the Judiciary:* Committee ordered favorably reported the following business items:

S. 1301, to amend title 18, United States Code, to prohibit video voyeurism in the special maritime and territorial jurisdiction of the United States, with an amendment in the nature of a substitute;

S. Con. Res. 40, designating August 7, 2003, as "National Purple Heart Recognition Day";

S. Res. 124, designating September 28, 2003, as "National Good Neighbor Day";

S. Res. 167, recognizing the 100th anniversary of the founding of the Harley-Davidson Motor Company, which has been a significant part of the social, economic, and cultural heritage of the United States and many other nations and a leading force for product and manufacturing innovation throughout the 20th century; and

The nominations of James O. Browning, to be United States District Judge for the District of New Mexico, and H. Brent McKnight, to be United States District Judge for the Western District of North Carolina.

Also, committee began consideration of S.J. Res. 1, proposing an amendment to the Constitution of the United States to protect the rights of crime victims, but did not complete action thereon and will meet again on Tuesday, July 29.

#### INTELLIGENCE

*Select Committee on Intelligence:* Committee held closed hearings on intelligence matters, receiving testimony from officials of the intelligence community.

Committee recessed subject to call.

# House of Representatives

## *Chamber Action*

**Measures Introduced:** Measures introduced today will appear in the next issue of the Record.

**Additional Cosponsors:** (See next issue.)

**Reports Filed:** Reports were filed as follows:

H.R. 2443, authorizing appropriations for the Coast Guard for fiscal year 2004, to amend various laws administered by the Coast Guard, and for other purposes, amended (H. Rept. 108-233);

H.R. 49, to permanently extend the moratorium enacted by the Internet Tax Freedom Act, and for other purposes, amended (H. Rept. 108-234);

H.R. 2861, making appropriations for the Departments of Veterans Affairs and Housing and Urban Development, and for sundry independent agencies, boards, commissions, corporations, and offices for the fiscal year ending September 30, 2004 (H. Rept. 108-235);

H. Res. 338, providing for consideration of the bill (H.R. 2861) making appropriations for the Departments of Veterans Affairs and Housing and Urban Development, and for sundry independent agencies, boards, commissions, corporations, and offices for the fiscal year ending September 30, 2004, (H. Rept. 108-236);

H. Res. 339, providing for consideration of the bill (H.R. 2859) making emergency supplemental appropriations for the fiscal year ending September 30, 2003 (H. Rept. 108-237); and

H. Res. 340. A resolution waiving a requirement of clause 6(a) of rule XIII with respect to consideration of certain resolutions reported from the Committee on Rules (H. Rept. 108-238). (See next issue.)

**Moment in Silence in Memory of Officer Jacob J. Chestnut and Detective John M. Gibson:** The Chair announced that on July 24, 1998, at 3:40 p.m., Officer Jacob J. Chestnut and Detective John M. Gibson of the United States Capitol Police were killed in the line of duty defending the Capitol against an intruder armed with a gun. At 3:40 p.m. today, the Chair recognized the anniversary of this tragedy by observing a moment of silence in their memory. **Pages H7489, H7515-16**

**United States-Chile Free Trade Agreement:** The House passed H.R. 2738, to implement the United States-Chile Free Trade Agreement by a recorded vote of 270 ayes to 156 noes, Roll No. 436.

**Pages H7459-89, H7514-16**

Agreed to engrossment and third reading by a yea-and-nay vote of 299 yeas and 129 nays, Roll No. 434. Agreed to table a motion to reconsider the vote

by a recorded vote of 276 ayes to 152 noes, Roll No. 435. **Pages H7514-16**

House agreed to H. Res. 329, the rule that provided for consideration of the bill on July 23.

**United States-Singapore Free Trade Agreement:** The House passed H.R. 2739, to implement the United States-Singapore Free Trade Agreement by a recorded vote of 272 ayes to 155 noes, Roll No. 432. **Pages H7489-13**

Agreed to engrossment and third reading by a yea-and-nay vote of 309 yeas and 114 nays, Roll No. 430. Agreed to table a motion to reconsider the vote by a recorded vote of 269 ayes to 153 noes, Roll No. 431. **Pages H9511-13**

On July 23, the House agreed to H. Res. 329, the rule that provided for consideration of the bill.

**School Readiness Act:** The House passed H.R. 2210, reauthorizing the Head Start Act to improve the school readiness of disadvantaged children by a recorded vote of 217 ayes to 216 noes, Roll No. 444. (See next issue.)

Rejected the Grijalva motion that sought to recommit the bill to the Committee on Education & the Workforce with instructions to report it back forthwith with amendments that increase funding for the migrational and seasonal education program by a recorded vote of 203 ayes to 227 noes, Roll No. 443. (See next issue.)

Pursuant to the rule, the amendment in the nature of a substitute printed in Part A of H. Res 336 was considered as an original bill for the purpose of amendment by a voice vote. (See next issue.)

Rejected:

Woolsey Part B amendment No. 1 printed in H. Rept. 108-232 that sought to strike language dealing with non-discrimination provisions of religious corporations, association, education institution, or society, with respect to the employment of individuals of a particular religion to perform work connected with the carrying on by such organizations (rejected by a recorded vote of 199 ayes to 231 noes, Roll No. 441); (See next issue.)

George Miller of California Part B amendment in the nature of a substitute No. 2 printed in H. Rept 108-232 that sought to remove the block grant provisions (rejected by a recorded vote of 200 ayes to 229 noes, Roll No 442.). (See next issue.)

H. Res. 336, the rule that provided for consideration of the bill was agreed to by voice vote. (See next issue.)

**Pharmaceutical Market Access Act:** The House passed H.R. 2427, authorizing the Secretary of

Health and Human Services to promulgate regulations for the reimportation of prescription drugs, by a recorded vote of 243 ayes to 186 noes, Roll No. 445. (See next issue.)

Rejected the Dingell motion that sought to recommit the bill to the Committee on Energy & Commerce by voice vote. (See next issue.)

H. Res. 335, the rule providing for consideration of the bill by a voice vote after agreeing to a motion on ordering the previous question by a recorded vote of 417 ayes to 10 noes, Roll No. 439.

(See next issue.)

**Presidential Message—National Emergency re Middle East Peace Process:** Read a message from the President wherein he transmitted a 6-month periodic report on the national emergency with respect to terrorists who threaten to disrupt the Middle East peace process that was declared in Executive Order 12947 of January 23, 1995—referred to the Committee on International Relations and ordered printed (H. Doc. 108–108). (See next issue.)

**Congressional-Executive Commission on the People's Republic of China:** The Chair announced the Speaker's appointment of Representative Wu to the Congressional-Executive Commission on the People's Republic of China.

**Tax Relief, Simplification, and Equity Act Motions to Instruct Conferees:** The House rejected the Ross motion to instruct conferees on H.R. 1308, Tax Relief, Simplification, and Equity Act, that was debated on July 22, by a yea-and-nay vote of 202 yeas to 214 nays, Roll No. 446. Earlier, Representative Solis announced her intention to offer a motion to instruct conferees on the bill. (See next issue.)

**Motions to Adjourn:** The House rejected the McDermott motion to adjourn by a recorded vote of 33 ayes to 383 noes, Roll No. 433 and rejected a second motion by a recorded vote of 23 ayes to 392 noes and one "present", Roll No. 437. Later rejected the Slaughter motion by a yea-and-nay vote of 41 yeas to 370 nays, with one voting "present", Roll No. 438, and rejected a second motion by a recorded vote of 35 ayes to 393 noes, Roll No. 440.

Pages H7513–14 (continued next issue)

**Late Reports:** The Committee on Science received permission to file late reports. (See next issue.)

**Recess:** The House recessed at 5:34 p.m. and reconvened at 6:07 p.m. (See next issue.)

**Senate Messages:** Message received from the Senate today appears on page H7457.

**Referral:** S. 285 was referred to the Committees on Resources and Energy and Commerce; S. 650 was referred to the Committee on Energy and Commerce. (See next issue.)

**Amendments:** Amendments ordered printed pursuant to the rule will appear in the next issue of the Record.

**Quorum Calls—Votes:** Four yea-and-nay votes and 13 recorded votes developed during the proceedings of the House today and appear on pages H7511–12, H7512–13, H7513, H7513–14, H7514–15, H7515, H7516 (continued next issue). There were no quorum calls.

**Adjournment:** The House met at 10 a.m. and adjourned at 3:05 a.m. on Friday, July 25.

## Committee Meetings

### TOBACCO QUOTA BUYOUT

*Committee on Agriculture:* Held a hearing to review Tobacco Quota Buyout. Testimony was heard from Representatives Fletcher and Kingston; and public witnesses.

### FOOD STAMP PROGRAM—REVIEW OPERATIONS

*Committee on Agriculture:* Subcommittee on Department Operations, Oversight, Nutrition, and Forestry held a hearing to review operations of the Food Stamp Program. Testimony was heard Eric M. Bost, Under Secretary, Food, Nutrition, and Consumer Services, USDA.

### TRANSPORTATION, TREASURY, AND INDEPENDENT AGENCIES APPROPRIATIONS

*Committee on Appropriations:* Ordered reported the Transportation, Treasury and Independent Agencies appropriations for fiscal year 2004.

### CYBER TERRORISM

*Committee on Armed Services:* Subcommittee on Terrorism, Unconventional Threats and Capabilities held a hearing on hearing on Cyber Terrorism: The New Asymmetric Threat. Testimony was heard from Robert Lentz, Director, Information Assurance, Department of Defense; Robert F. Dacey, Director, Information Technology Team, GAO; and public witnesses.

**LONG-TERM FEDERAL OBLIGATIONS—  
ECONOMIC EFFECTS**

*Committee on the Budget:* Held a hearing on Economic Effects of Long-Term Federal Obligations. Testimony was heard from Douglas J. Holtz-Eakin, Director, CBO; and a public witness.

**OCCUPATIONAL SAFETY AND HEALTH  
LEGISLATION**

*Committee on Education and the Workforce:* Subcommittee on Workforce Protections approved for full Committee action the following bills: H.R. 2728, Occupational Safety and Health Small Business Day in Court Act of 2003; H.R. 2729, Occupational Safety and Health Review Commission Efficiency Act of 2003; and H.R. 2730, to amend the Occupational Safety and Health Act to provide for an independent review of citations issued by the Occupational Safety and Health Administration.

**“ISSUES RELATING TO EPHEDRA-  
CONTAINING DIETARY SUPPLEMENTS”**

*Committee on Energy and Commerce:* Subcommittee on Commerce, Trade and Consumer Protection and the Subcommittee on Oversight and Investigations held a hearing entitled “Issues Relating to Ephedra-containing Dietary Supplements.” Testimony was heard from Mark B. McClellan, M.D., Commissioner, FDA, Department of Health and Human Services; and J. Howard Beales III, Director, Bureau of Consumer Protection, FTC.

**FAIR AND ACCURATE CREDIT  
TRANSACTIONS ACT**

*Committee on Financial Services:* Ordered reported, as amended, H.R. 2622, Fair and Accurate Credit Transactions Act of 2003.

The Committee also approved and forwarded to the Committee on the Budget the following: “Changes in Law to Eliminate Waste, Fraud, and Abuse.”

**MISCELLANEOUS MEASURES**

*Committee on Government Reform:* Ordered reported the following measures: H.R. 2309, to designate the facility of the United States Postal Service located at 2300 Redondo Avenue in Signal California, as the “J. Stephen Horn Post Office Building;” H. Con. Res. 235, celebrating the life and achievements of Lawrence Eugene “Larry” Doby; and H. Res. 315, congratulating Rafael Palmeiro of the Texas Rangers for hitting 500 major league home runs and thanking him for being a role model for the Cuban American community, as well as for all Americans.

**OVERSIGHT—THRIFT SAVINGS PLAN—  
PUTTING CUSTOMERS FIRST**

*Committee on Government Reform:* Held an oversight hearing entitled “The Thrift Savings Plan: Putting Customers First?” Testimony was heard from Andrew Saul, Chairman, Federal Retirement Thrift Investment Board; Edward P. McPherson, Chief Financial Officer, USDA; Alan Lebowitz, Deputy Assistant Secretary, Program Operations, Employee Benefits Security Administration, Department of Labor; and public witnesses.

**ANTITRUST ENFORCEMENT AGENCIES**

*Committee on the Judiciary:* Task Force on Antitrust held an oversight hearing on “The Antitrust Enforcement Agencies: The Antitrust Division of the Department of Justice and the Bureau of Competition of the Federal Trade Commission.” Testimony was heard from R. Hewitt Pate, Assistant Attorney General, Antitrust Division, Department of Justice; and Timothy J. Muris, Chairman, FTC.

**OVERSIGHT—PATENT QUALITY  
IMPROVEMENT**

*Committee on the Judiciary:* Subcommittee on Courts, the Internet, and Intellectual Property held an oversight hearing on “Patent Quality Improvement.” Testimony was heard from public witnesses.

**ABANDONED MINE LANDS PROGRAM**

*Committee on Resources:* Subcommittee on Energy and Mineral Resources held an oversight hearing on the Abandoned Mine Lands Program. Testimony was heard from Representatives Kanjorski and Holden; Jeffrey Jarrett, Director, Office of Surface Mining Reclamation and Enforcement, Department of the Interior; and public witnesses.

**MARINE MAMMAL PROTECTION ACT**

*Committee on Resources:* Subcommittee on Fisheries Conservation, Wildlife and Oceans held a hearing on H.R. 2693, Marine Mammal Protection Act of 2003. Testimony was heard from Rebecca Lent, Deputy Assistant Administrator, Fisheries, National Marine Fisheries Service, Department of Commerce; Marshall Jones, Deputy Director, U.S. Fish and Wildlife Service, Department of the Interior; David Cottingham, Executive Director, Marine Mammal Commission; and public witnesses.

**MISCELLANEOUS MEASURES**

*Committee on Resources:* Subcommittee on Forests and Forest Health held a hearing on the following measures: H.R. 1005, PILT and Refuge Revenue Sharing Permanent Funding Act; H.R. 1723, Caribbean National Forest Act of 2003; H.R. 2707, Salt Cedar and Russian Olive Control Demonstration Act; and

to direct the Secretary of Agriculture to exchange certain lands within the Arapaho and Roosevelt National Forest in the State of Colorado. Testimony was heard from Representative Beauprez, Pearce and Stenholm; Elizabeth Estill, Deputy Chief, Programs, Legislation and Communications, U.S. Forest Service, USDA; the following officials of the Department of the Interior: Chris Kearney, Deputy Assistant Secretary, Policy/International Affairs; and James Tate, Science Advisor to the Secretary; and public witnesses.

#### MISCELLANEOUS MEASURES

*Committee on Resources:* Subcommittee on Water and Power held a hearing on the following measures: H.R. 2828, Water Supply, Reliability and Environmental Improvement Act; and H.R. 2641, Calfed Bay-Delta Authorization Act. Testimony was heard from Senator Feinstein; and public witnesses.

#### MAKING EMERGENCY SUPPLEMENTAL APPROPRIATIONS FOR FY 2003

*Committee on Rules:* Granted, by voice vote a modified closed rule providing one hour of debate in the House on H.R. 2859, making emergency supplemental appropriations for the fiscal year ending September 30, 2003, equally divided and controlled by the chairman and ranking minority member of the Committee on Appropriations. The rule waives all point of order against consideration of the bill. The rule provides for consideration of the amendment printed in the Congressional Record, if offered by Representative Toomey or his designee, which shall be considered as read and shall separately debatable for twenty minutes equally divided and controlled by the proponent and an opponent. The rule waives all points of order against that amendment. Finally, the rule provides one motion to recommit with or without instructions.

#### VA/HUD AND INDEPENDENT AGENCIES APPROPRIATIONS, 2004

*Committee on Rules:* Granted, by a vote of 8 to 4, an open rule providing one hour of general debate on H.R. 2861, Departments of Veterans Affairs and Housing and Urban Development, and Independent Agencies Appropriations, 2004, equally divided and controlled by the chairman and ranking minority member of the Committee on Appropriations. The rule waives all points of order against consideration of the bill. Under the rules of the House the bill shall be read for amendment by paragraph. The rule waives points of order against provisions in the bill for failure to comply with clause 2 of rule XXI (prohibiting unauthorized appropriations or legislative provisions in an appropriations bill), except as specified in the resolution. The rule authorizes the Chair

to accord priority in recognition to Members who have pre-printed their amendments in the Congressional Record. Finally, the rule provides one motion to recommit with or without instructions. Representatives Smith of New Jersey, Simmons, Obey, Mollohan, Edwards, Evans, Hastings of Florida, and Rodriguez.

#### SAME-DAY CONSIDERATION OF CERTAIN RESOLUTIONS REPORTED BY THE RULES COMMITTEE

*Committee on Rules:* Granted, by voice vote, a resolution waiving clause 6(a) of rule XIII (requiring a two-thirds vote to consider a rule on the same day it is reported from the Rules Committee) against certain resolutions reported from the Rules Committee. The resolution applies the waiver to any special rule reported on the legislative day of July 25, 2003, providing for consideration or disposition of H.R. 2861, making appropriations for the Departments of Veterans Affairs and Housing and Urban Development, and for sundry independent agencies, boards, commissions, corporations, and offices for the fiscal year ending September 30, 2004.

#### SMALL BUSINESS REAUTHORIZATION AND MANUFACTURING REVITALIZATION ACT

*Committee on Small Business:* Ordered reported, as amended, H.R. 2802, Small Business Reauthorization and Manufacturing Revitalization Act of 2003.

#### OVERSIGHT

*Committee on Veterans' Affairs:* Subcommittee on Benefits held a hearing on oversight of the Department of Labor's administration of the Uniformed Services Employment and Reemployment Rights Act (USERRA) under chapter 43 of title 38, United States Code. Testimony was heard from Susan LaChance, Manager, Selection, Evaluation, and Recognition, U.S. Postal Service; Frederico Juarbe, Jr., Assistant Secretary, Veterans' Employment and Training Service, Department of Labor; and representatives of veterans' organizations; and public witnesses.

#### SSA'S SERVICE DELIVERY PLAN

*Committee on Ways and Means:* Subcommittee on Social Security held a hearing on SSA's Service Delivery Plan. Testimony was heard from Jo Anne B. Barnhart, Commissioner, SSA; the following officials of the GAO: Robert E. Robertson, Director, Education, Workforce, and Income Security Issues; and Linda D. Koontz, Director, Information Technology; and a public witness.

**IRAQ—SUFFICIENCY OF INTELLIGENCE**

*Permanent Select Committee on Intelligence:* Held a hearing on Sufficiency of Intelligence on Iraq. Testimony was heard from the following former Directors of the CIA: John M. Deutch; and R. James Woolsey; John J. Hamre, former Deputy Secretary of Defense; and Anthony H. Cordesman, Arleigh A. Burke Chair in Strategy, Center for Strategic and International Studies.

**HOMELAND SECURITY DEPARTMENT  
INFORMATION SHARING CAPABILITIES—  
IMPROVEMENTS**

*Select Committee on Homeland Security:* Subcommittee on Intelligence and Counterterrorism held a hearing entitled “Improvements to Department of Homeland Security Information Sharing Capabilities—Vertical and Horizontal Intelligence Communications”. Testimony was heard from Bill Parrish, Acting Assistant, Information Analysis, Department of Homeland Security; V. Phillip Lago, Deputy Executive Secretary, CIA; Steven McCraw, Assistant Director, Office of Intelligence, FBI, Department of Justice; James Kallstrom, Senior Advisor to the Governor on Counter Terrorism, State of New York; George Foresman, Deputy Assistant to the Governor for Commonwealth Preparedness, State of Virginia; and a public witness.

***Joint Meetings*****COMMERCIAL HUMAN SPACEFLIGHT**

*Joint Hearings:* Committee on Commerce, Science, and Transportation Subcommittee on Science, Technology, and Space concluded joint hearings with the House Committee on Science Subcommittee on Space and Aeronautics to examine space commercialization, including orbital and suborbital flights, understanding the current demand for public space

travel, and the future of space tourism, after receiving testimony from Jeff Greason, XCOR Aerospace, Mojave, California; Jon B. Kutler, Quarterdeck Investment Partners, Los Angeles, California; Philip McAlister, Futron Corporation, Bethesda, Maryland; Elon Musk, SpaceX, El Segundo, California; and Dennis A. Tito, Wilshire Associates, Incorporated, Santa Monica, California.

**AVIATION ADMINISTRATION  
AUTHORIZATION ACT**

*Conferees* met on the differences between the Senate and House passed versions of H.R. 2115, to amend title 49, United States Code, to reauthorize programs for the Federal Aviation Administration, but did not complete action thereon, and recessed subject to call.

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**COMMITTEE MEETINGS FOR FRIDAY,  
JULY 25, 2003**

*(Committee meetings are open unless otherwise indicated)*

**Senate**

*Committee on the Judiciary:* Subcommittee on Crime, Corrections and Victims' Rights, to hold hearings to examine deterrence of alien smuggling and human trafficking, 10 a.m., SD-226.

**House**

*Committee on the Judiciary,* to mark up the following bills: H.R. 1829, Federal Prison Industries Competition in Contracting Act of 2003; H.R. 292, Korean War Veterans Recognition Act of 2003; H. Res. 234, condemning bigotry and violence against Arab-Americans, Muslim-Americans, South Asian-Americans, and Sikh Americans; H.R. 2655, to amend and extend the Irish Peace Process Cultural and Training Programs Act of 1998; and H.R. 1837, Services Acquisition Reform Act of 2003, 9:30 a.m., 2141 Rayburn.

*Permanent Select Committee on Intelligence,* executive, briefing on Counterterrorism Update, 9 a.m., H-405 Capitol.

*Next Meeting of the SENATE*

9:30 a.m., Friday, July 25, 2003

*Next Meeting of the HOUSE OF REPRESENTATIVES*

9 a.m., Friday, July 25, 2003

## Senate Chamber

**Program for Friday:** Senate will continue consideration of S. 14, Energy Policy Act.

## House Chamber

**Program for Friday:**

Consideration of Solis motion to instruct conferees on H.R. 1308, All American Tax Relief Act;

Consideration of H.R. 2859, making emergency supplemental appropriations for the FY 2003 (open rule, one hour of general debate); and

Consideration of H.R.2861, VA/HUD Appropriations (modified closed rule, one hour of debate).

## Extensions of Remarks, as inserted in this issue

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*(House proceedings for today will be continued in the next issue of the Record.)*



# Congressional Record

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